act sanctioning the specific transaction, the railroads were leased to the plaintiff corporation with an option of perpetual renewal. The leased roads were then taxed to the plaintiff, the lessee, as owner of the fee, at more than one-half of one per cent on their incomes. *Held*, that the tax will be enjoined as an impairment of the obligation of the contract to exempt. *Wright* v. *Central of Georgia Ry. Co.*, U. S. Sup. Ct. Off., No. 161 (March 22, 1915).

Alleged contracts of a state legislature exempting property from taxation are viewed with hostility by the courts, and will not be protected under the contract clause of the Constitution unless a legal obligation is conclusively established. *Christ Church* v. *Philadelphia*, 24 How. (U. S.) 300. The charters in the principal case meet this test and in fact had already been interpreted to constitute a binding contract with the lessor railroads. *Wright* v. *Georgia R. & B. Co.*, 216 U. S. 420. But the hostility of the law toward limitations of this kind is so great that the exemption, even when established, does not follow the property into the hands of transferees of the contracting party unless the legislature clearly so intended. *Rochester Ry. Co.* v. *Rochester*, 205 U. S. 236; *Getton* v. *University of the South*, 208 U. S. 489. The principal case finds that such an intent is evidenced by the cumulative force of the peculiar facts surrounding this particular lease. It expressly negatives the implication that the fee would be exempt into whosesoever hands it might come, or that an interest less than the fee could not be taxed. The question is one of degree, which must be determined by the process of judicial inclusion and exclusion, and the principal case is significant only as establishing a datum in that process.

CONSTITUTIONAL LAW — PERSONAL RIGHTS: CIVIL, POLITICAL, AND RELIGIOUS — LIBERTY TO CONTRACT: REGULATION OF HOURS OF LABOR. — A California statute forbade the employment of any woman in certain industrial and mercantile occupations for a longer period than eight hours in one day or forty-eight hours in one week. CAL. STAT., 1911, p. 437. A hotel proprietor was arrested for violating the statute by allowing a chambermaid in his employ to work nine hours in one day. He now attacks the validity of the statute by *habeas corpus* proceedings. *Held*, that the statute is constitutional. *Miller* v. *Wilson*, 236 U. S. 373.

This same statute was later so amended as to apply to women employed in hospitals, with the exception of graduate nurses. CAL. STAT., 1913, p. 713. A woman pharmacist employed in a hospital seeks to restrain its enforcement on the ground that it violates the Fourteenth Amendment. *Held*, that the statute is constitutional. *Bosley* v. *McLaughlin*, 236 U. S. 385.

These decisions establish the power of legislatures to shorten the hours of women's labor to a greater extent than some authorities had considered allowable. See *Ritchie* v. *People*, 155 Ill. 98, 40 N. E. 454; FREUND, POLICE POWER, § 314. It has, however, become clearly established that a ten-hour day for women may be prescribed by statute. *Riley* v. *Massachusetts*, 232 U. S. 671; *Muller* v. *Oregon*, 208 U. S. 412; *People* v. *Elerding*, 254 Ill. 579, 98 N. E. 982; *Commonwealth* v. *Hamilton Mfg. Co.*, 120 Mass. 383; *Wenham* v. *State*, 65 Neb. 394, 91 N. W. 421; *State* v. *Buchanan*, 29 Wash. 602, 70 Pac. 52. This slight additional restriction, in view of the conditions of modern industrial life, cannot be deemed so unreasonable as to exceed the police power of the state. *State* v. *Somerville*, 67 Wash. 638, 122 Pac. 324. *Earnshaw* v. *Newman*, 47 Chi. Leg. News, 281 (Sup. Ct., D. C.). For a discussion of the constitutional principles involved, see 21 HARV. L. REV. 495. The second case illustrates the somewhat unequal results of the necessarily imperfect fashion in which classes of occupations and employees must be defined by legislatures. Such legislative classifications, however far from perfect, will be upheld by the courts to the verge of caprice. See *Jeffrey Mfg. Co.* v. *Blagg*, 235 U. S. 571; *Lindsley* v. *Natural Carbonic Gas Co.*, 220 U. S. 61, 78. But in legislation of this charac-

ter, better results might be secured, it would seem, by delegating to administrative boards, similar to those now administering the minimum wage statutes in several states, the task of fixing the exact fields of industry to which the restrictions should apply. See 2 GEO. V, c. 2; WIS. LAWS, 1913, ch. 381; 4 AM. LAB. LEG. REV. 13; 28 HARV. L. REV. 89.

CONSTITUTIONAL LAW — POWERS OF LEGISLATURE: TAXATION — STAMP TAX ON BILL OF COSTS IN STATE COURT. — The United States War Revenue Act of October 22, 1914, on a fair construction, required a litigant in a state court to affix a revenue stamp to his bill of costs, and forbade the clerk of court to certify the bill before a stamp was attached. *Held*, that the provision is unconstitutional. *Neldert* v. *Chicago, R. I. & P. R. Co.*, City Ct., N. Y., Feb. 9, 1915 (not yet reported).

Congress may not impede the states in the exercise of their reserved governmental powers, one of which is the administration of justice. *Collector* v. *Day*, 11 Wall. (U. S.) 113; *Bettman* v. *Warwick*, 108 Fed. 46. Although a tax, the financial burden of which falls directly or indirectly on the state, is the usual mode in which this has been attempted, embarrassments of every description are equally obnoxious to the Constitution. *Jones* v. *Keep*, 19 Wis. 369; see *McNally* v. *Field*, 119 Fed. 445, 447. So the tax in the principal case, although it comes out of the litigant's pocket, is objectionable because payment of it is made a condition precedent to execution of the state court's judgment. It has been suggested that the litigant might be held personally liable for the tax, even though the state court's process could not be obstructed to enforce payment. See Downer, J., *diss.*, in *Jones* v. *Keep*, *supra*, 388. But it is submitted that such a tax on the privilege of seeking justice in the state tribunals would likewise contravene the right of the state to administer justice on its own terms among those who resort to its courts.

CONTRIBUTION — SHIFTING OF CRIMINAL PENALTY TO ONE PRIMARILY RESPONSIBLE. — The plaintiffs, moneylenders, hired the defendants to address envelopes to persons whose names appeared in a certain handbook, but to omit minors. The defendants carelessly included a minor among the addressees, and the plaintiffs innocently sent him a circular. The plaintiffs were convicted of the statutory misdemeanor of sending a moneylender's circular to an infant without reasonable grounds to believe him of full age. This is an action to recover the amount of the fine and costs. *Held*, that only nominal damages are recoverable. *R. Leslie (Ltd.)* v. *Reliable Advertising and Addressing Agency (Ltd.)*, [1915] 1 K. B. 652.

For a discussion of the novel question of whether one who has suffered a criminal penalty may recover its amount in damages from the one who was responsible for his committing the crime, see NOTES, p. 687.

CORPORATIONS — STOCKHOLDERS: RIGHTS INCIDENT TO MEMBERSHIP — RESTRICTION ON TRANSFER OF SHARES IN AGREEMENT OF ASSOCIATION. — Under a Massachusetts statute which provided that any restrictions on the transfer of stock should be set forth in the agreement of association, it was provided in the agreement and noted on the certificates that none of the shares should be transferred without consent of three-fourths of the capital stock. The defendants acquired stock without complying with this requirement, and now claim to be stockholders and hence qualified to act as directors, on the ground that the restriction is void. *Held*, that the restriction is valid. *Longyear* v. *Hardman*, 219 Mass. 405, 106 N. E. 1012.

Corporations, like other associations of individuals, often find it expedient for various reasons to limit the admission of new members. While this is usually accomplished by placing restrictions on the transfer of the stock, the